

*D2*  
cont'd  
(part 8)

23. A tablet according to claim 22, wherein the surfactant coating comprises 0.5 to 5

*D3*  
*1 part* wt % of the tablet.

25. A tablet according to claim 16, wherein the finely-divided cellulose material

*D4*  
*sub E* comprises cellulose particles having a particle size of from 40  $\mu\text{m}$  to 60  $\mu\text{m}$ .

**Amendments to the claims are set forth in bracket and underline format in Exhibit A, attached herewith.**

#### REMARKS

Claims 1-17 and 19-27 are pending in this application, with claims 12, 21, 23, and 25 being amended by this Amendment. Applicants have filed concurrently herewith an English translation of Boeck et al. (German Patent No. DE 2 321 693), which was asserted in the February 6, 2002 Office Action.

The Office Action objected to claims 12, 21, 23, and 25 because of informalities; rejected claims 1-9, 11-17, 19-22, and 24-27 under 35 U.S.C. § 103(a) as being unpatentable over Wixon (U.S. Patent No. 4,230,590) in view of Fry et al. (U.S. Patent No. 5,360,567); and objected to claims 10 and 23, but indicated that these claims would be allowable if rewritten in independent form.

By this Amendment, Applicants have amended claims 12, 21, 23, and 25 to address the minor informalities noted by the Office Action. In light of these claim amendments, Applicants

respectfully request the reconsideration and withdrawal of the objection to claims 12, 21, 23, and 25. Applicants respectfully traverse the Section 103(a) rejection of claims 1-9, 11-17, 19-22, and 24-27, for the following reasons.

With regard to the Section 103(a) rejection of claims 1-7, 11-17, 19-21, and 24-27, the Office Action readily admitted that Wixon fails to disclose or suggest: (1) a heavy duty detergent composition in a detergent compact or tablet form; and (2) the cellulose being thermo-mechanical pulp or chemo-thermo-mechanical pulp. However, the Office Action asserted that Fry et al. teach a similar heavy duty detergent composition in tablet form, and the equivalency of celluloses and cellulose derivatives. The Office Action further asserted that it would have been obvious to combine the teachings of Wixon and Fry et al. because: (1) a tablet does not require measuring and are thus easier to handle and dispense into the washload, and is more compact which facilitates more economical storage; and (2) Fry et al. disclose the binder/disintegrant to be celluloses or cellulose derivatives and pulps are specific cellulose derivatives. Applicants respectfully disagree with the Examiner's obviousness conclusion.

Wixon fails to disclose a cellulose that is in a compact form and subsequently granulated. Simply putting soap as "smearing agent" with cellulose through an extruder, as disclosed in Wixon, will result in a soap that contains cellulose. However, the cellulose will not act as a disintegrating agent since none of the pressure from the extrusion process will make the cellulose fibers adhere to each other (i.e., become a compact form). In order for the cellulose to act as a disintegrating agent it is essential for it to be in compact form. In short, cellulose does not disintegrate tablets if it is not compacted.

Fry et al. disclose a detergent tablet having a matrix of particles with a particle size within the range from 200 to 2000  $\mu\text{m}$ . (Abstract). The reference further discloses that the

matrix of particles, before compaction, are coated with a binder/distintegrator such as celluloses and cellulose derivatives. (Col. 5, line 43 – col. 6, line 1). Fry et al. also disclose that it would be “highly advantageous for the binder/disintegrant to coat or envelop the matrix [of] particles, rather than simply to be mixed with them.” (Col. 6, lines 21-23). Like Wixon, there is no disclosure or suggestion of the particle size of the cellulose of Fry et al., nor of compacting the cellulose prior to its admixture to the matrix of particles. Furthermore, if the cellulose particles are to be coated on the matrix of particles, it logically follows that they would be much smaller than the particle size of the matrix of particles and *not* the same size.

In contrast, claim 1 and claims 2-7 and 11-15, at least by virtue of dependence, recite a combination of elements, including granules of finely divided cellulose material, wherein the cellulose material is *compacted* prior to its admixture to the laundry detergent composition and is present in the compact in the form of compacted granules having a density of from 0.5 to 1.5 g/cm<sup>3</sup>.

Further in contrast, claim 16 and claims 17, 19-21, and 24-27, at least by virtue of dependence, recite a combination of elements, including granules of *compacted*, finely-divided cellulose material, said granules having a particle size of from 200 µm to 6000 µm.

In light of the above, Applicants respectfully submit that Wixon and Fry et al., whether taken alone or in any reasonable combination, fail to disclose or suggest the combination of elements recited in claims 1-7, 11-17, 19-21, and 24-27, including a *compacted* cellulose material. Thus, these claims are not obvious over the combination of Wixon and Fry et al. Applicants, therefore, respectfully request the reconsideration and withdrawal of the Section 103(a) rejection of claims 1-7, 11-17, 19-21, and 24-27.

In view of the foregoing amendments and remarks, Applicants respectfully request

reconsideration and withdrawal of this application, and timely allow pending claims 1-17 and 19-

27. Since the claims are now in condition for allowance, Applicants reiterate their request to have an interference declared between the subject application and U.S. Patent No. 6,051,545, and any pending continuation or divisional application thereof.

If there are any other fees due in connection with the filing of this response, please charge the fees to our Deposit Account No. 03-2775. If a fee is required for an extension of time under 37 C.F.R. § 1.136 not accounted for above, such an extension is requested and the fee should also be charged to our Deposit Account.

Respectfully submitted,

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Dated: January 29, 2003

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**Exhibit A – Amendments to Specification and/or Claims of Serial No. 09/380,739**

**IN THE CLAIMS:**

Please amend claims 12, 21, 23, and 25, as follows:

12. (Twice Amended) Laundry detergent compact according to Claim 1, wherein the compact has been pressed from a mixture of the pulverulent or granular ingredients with the finely divided cellulose material in dry or earth-moist [from] form.
  
21. (Twice Amended) A tablet according to claim 16, wherein the cellulose material comprises 3 to 6 wt % [by weight] of the tablet.
  
23. (Twice Amended) A tablet according to claim 22, wherein the surfactant coating comprises 0.5 to 5 wt % [by weight] of the tablet.
  
25. (Twice Amended) A tablet according to claim 16, wherein the finely-divided cellulose material comprises [of] cellulose particles having a particle size of from 40  $\mu\text{m}$  to 60  $\mu\text{m}$ .